

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JESSE NOAL KILLIAN )  
                          )  
Plaintiff,            )  
                          )  
vs.                    ) Case No. 4:21 CV 1294 JMB  
                          )  
UNKNOWN ADAMS,        )  
                          )  
Defendant.            )

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff's second motion for appointment of counsel (Doc. 22). Plaintiff's first motion was denied without prejudice because this case did not appear to be complicated and Plaintiff appeared competent to litigate his claim (Doc. 18). Ward v. Smith, 721 F.3d 940, 942 (8th Cir. 2013). Plaintiff's second motion does not provide any new information that would change this opinion. In addition, Defendant's recently filed motion for summary judgment (Doc. 24), which cites to Plaintiff's deposition and Defendant's declaration exclusively, reveals limited or no factual disputes and standard issues of law for such cases. Accordingly, Plaintiff's motion is **DENIED without prejudice** (Doc. 22).

*/s/ John M. Bodenhausen*  
JOHN M. BODENHAUSEN  
UNITED STATES MAGISTRATE JUDGE

Dated this 4th day of October, 2022